

# EXHIBIT B

Except for rebuttal purposes, Plaintiffs will NOT through fact or expert witnesses:

1. Introduce evidence that a specific prescription was unnecessary or inappropriate, resulted from unlawful marketing, was improperly dispensed; or caused harm. Similarly, no witness will testify that he/she analyzed a series/sample of individual prescriptions and that a certain percentage were improper, harmful, linked to marketing, unlawfully distributed, etc.

BUT we will:

- a. introduce evidence that certain types of prescriptions were unnecessary, inappropriate, harmful, or impacted by unlawful marketing, e.g., doses over 150 MGs, scripts for headaches, etc.), and that those types of prescriptions represent a certain percentage of overall volume.
  - b. present expert reports that rely on analysis of claims, sales, prescribing, distribution, or epidemiological data to analyze the volume, types, and impacts of opioids and to demonstrate link between marketing and distribution and harm
2. Present individual patient/victim stories, e.g., testimony from family whose daughter became addicted/overdosed after prescribed Oxy for wisdom teeth removal. Likewise, we would not seek to introduce intake forms for patients treated for addiction or death certificates or medical records for individuals who overdosed.

BUT we will introduce evidence from city/county employees who treated addiction or overdoses, made arrests, placed foster kids, etc. about numbers, circumstances, and results they see, e.g.,:

- a. Paramedic: responds to 40 overdose calls a week, 12 of which are fatal and 15 of which involve patients previously revived, often find pills at the scene
  - b. Prosecutor/police: extent/prosecution of pill mills, prosecution of doctor who was prosecuted for prescribing thousands of high dose opioids and being linked to 30 deaths
  - c. Coroner: number of opioid fatalities and number where prescription opioids implicated
3. Assert that any specific prescription was improperly dispensed or distributed,

BUT we will assert that specific orders of opioids were suspicious and should have been reported or not shipped